

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) No. 4:16 CR 426 CDP-1
)
ISRAEL ANGELES-MONTEZUMA,)
)
Defendant.)

ORDER

This matter is before the Court on defendant Israel Angeles-Montezuma's Motion to Dismiss the Indictment, Motion for a Bill of Particulars, and Motion for Severance. Pursuant to 28 U.S.C. § 636(b), the motions were referred to United States Magistrate Judge John M. Bodenhausen. Judge Bodenhausen held a hearing on September 26, 2017, and thereafter filed a thorough Report and Recommendation regarding the defendant's motions. No party has filed any objections to the Judge Bodenhausen's recommendations.

Although no party has objected to the recommended rulings, I have nevertheless conducted a full *de novo* review of all matters relevant to the motions, including listening to the recording of the hearing and reviewing the motions and the law. The indictment sufficiently alleges the elements of the conspiracy charged against defendant. Additionally, it appears that only two defendants

remain for trial, and the record before the Court does not show that the co-defendant remaining for trial made any statements regarding this defendant. At the final pretrial conference set for January 12, 2018, the Court will again inquire into whether there are any potential confrontation issues regarding co-defendant statements, and will take appropriate action if it appears there is any problem.

After fully considering these matters, I will adopt and sustain the thorough reasoning of Magistrate Judge Bodenhausen set forth in support of his recommended rulings issued on October 10, 2017.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [1488] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant's Motion to Dismiss the Indictment [1277] and Motion for Severance [1279] are denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 6th day of December, 2017.